

Before the
FEDERAL COMMUNICATIONS COMMISSION
Washington, D.C. 20554

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FEDERAL COMMUNICATIONS COMMISSION
OFFICE OF THE SECRETARY

In the Matter of)

Administration of the)
North American Numbering Plan)

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CC Docket No. 92-237

REPLY

Pursuant to the Commission's *Public Notice*,¹ the National Exchange Carrier Association, Inc. (NECA) hereby submits its reply to comments in the above captioned proceeding.²

I. INTRODUCTION

The North American Numbering Council (NANC) filed its Recommendation on the NANP Administrator and Billing and Collection (B&C) Agent with the Commission on May 15, 1997.³ The NANC unanimously recommended NECA as the NANP B&C Agent, and also recommended that the Commission order NECA to create an independent board exclusively for the Billing and Collection Agent.⁴ Subsequently, four of the five parties commenting on the B&C Agent issue supported NANC's recommendation of NECA as the B&C Agent.

¹ *Public Notice*, The North American Numbering Council (NANC) Issues Recommendations of the North American Numbering Plan Administrator, Billing and Collection Agent, and Related Rules; Pleading Cycle Established, CC Docket No. 92-237, DA 97-1055 (May 19, 1997).

² *Report and Order*, CC Docket No. 92-237, 11 FCC Rcd 2588 (1995).

³ Recommendation of the North American Numbering Council (NANC), North American Numbering Plan (NANP) Administrator and Billing and Collection Agent, filed with the Federal Communications Commission, May 15, 1997 ("NANC Recommendation").

⁴ NANC Recommendation at 4, 13; *Public Notice* at 2.

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II. DISCUSSION

AirTouch, MCI, NECA and NTCA all support NANC's selection of NECA as the B&C Agent.⁵ NECA is gratified for NANC's unanimous recommendation and for the strong support it has received. NECA looks forward to working with the Commission, NANC and the NANP community in performing this important task.

After NECA reviewed and discussed the recommendation with the NANC Chairman and members of the NANPA Evaluation Team, NECA suggested forming a NANPA "Billing and Collection (B&C) Oversight Council" to provide independent oversight exclusively for the NANP billing and collection functions.⁶ Creation of the Council would keep administrative costs for NANP billing and collection functions much lower than they would be if NECA were required to create a new corporate entity and board of directors. This more cost-effective solution addresses NANC concerns regarding the independence and neutrality of billing and collection functions, with adequate representation of affected interests.

In its support of NECA's selection to be the NANPA B&C Agent, the National Telephone Association (NTCA) states that "NECA clearly has the experience and expertise to perform the [B&C] functions associated with recovering the costs of [NANP] Administration."⁷ In addition, NTCA states that NANC's recommendation to require an independent board of directors is:

⁵ AirTouch at 1, MCI at 19, NECA Comments at 2, and NTCA at 2.

⁶ NECA Comments at 2-3.

⁷ NTCA at 2.

“well intentioned but probably unnecessary. NECA should have the discretion to create an . . . oversight council instead of a separate subsidiary. Creation of a separate board just to oversee the [B&C Agent] will obviously impose additional costs on the process and involve inefficiencies without appreciable public benefits. An [oversight] council to an independent entity such as the [USAC] NECA proposes to create can as easily cure the neutrality concerns of the various interested parties.”⁸

MCI also “supports the recommendation of NECA as B&C agent primarily because (a) NECA’s experience administering cost recovery systems has produced a cost-savings bid for the B&C functions, and (b) the role of B&C Agent can be confined to ministerial functions unrelated to numbering administration or numbering policy.”⁹ Thus, MCI appears to agree with NTCA that NECA is clearly qualified and that billing and collection “is an administrative function which requires oversight but should not involve the agent in the type of policy decisions which ordinarily invoke neutrality concerns of a high order.”¹⁰

WorldCom is the only filing party to oppose NECA’s selection as B&C Agent.¹¹ WorldCom states that “[n]o matter how NECA seeks to recast itself, the ILECs will continue to retain and exert undue influence and power over NECA”; and that “an independent board of directors . . . will not change the historical ILEC leanings of NECA”.¹² These statements miss the point of NECA’s proposal to create a new subsidiary universal service administration

⁸ *Id.*

⁹ MCI at 19.

¹⁰ NTCA at 2. MCI and AirTouch support NANC’s recommendation of an independent board.

¹¹ WorldCom at 6.

¹² *Id.* at 7.

company (USAC), governed by a neutral, balanced board, and a B&C Oversight Council exclusively for the NANP billing and collection functions. These proposals assure fair and competitively neutral administration of NANPA billing and collection functions. Moreover, WorldCom fails to recognize NECA's successful administration of the Commission's interstate TRS fund and its recent selection as interim administrator of the Commission's new universal service funds.¹³

III. CONCLUSION

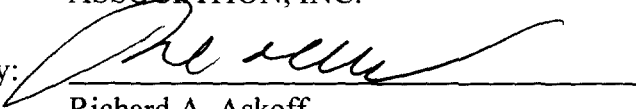
NANC has unanimously recommended NECA to be the NANPA B&C Agent, and such recommendation has received the majority support of commenting parties. In addition, NECA and at least one other party agree that an oversight council is more cost effective than an independent board and adequately addresses NANC's and other parties' concerns about

¹³ WorldCom also asserts that NECA should be disqualified because its proposal does not contemplate assuming the risk of shortfalls in collections. WorldCom at 8. As the NANC presumably recognized, however, the Commission could not reasonably expect a billing and collection agent to bear personal liability for fund shortfalls. Also, WorldCom's quarrelsome assertions regarding NECA's supposed lack of expertise (*see id.*) are simply wrong. The environments in which NECA has successfully operated as billing and collection agent have been anything but "static."

neutrality. For these reasons, the Commission should select NECA as the NANPA B&C Agent and order the creation of a NANPA B&C Oversight Council.

Respectfully Submitted,
NATIONAL EXCHANGE CARRIER
ASSOCIATION, INC.

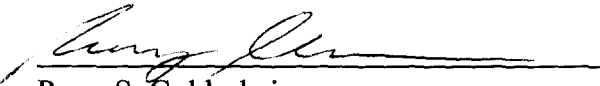
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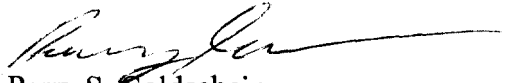


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July 3, 1997

CERTIFICATE OF SERVICE

I hereby certify that a copy of the foregoing Comments was served this 3rd day of July 1997, by mailing copies thereof by United States Mail, first class postage paid or by hand delivery, to the persons listed below.


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